

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

DAVID MOORE	§	
TDCJ-CID #801362,	§	
Plaintiff,	§	
V.	§	C.A. NO. C-03-330
	§	
SERGEANT PALACIOS, ET AL,	§	
Defendant.	§	

**MEMORANDUM OPINION AND ORDER TO FILE PLAINTIFF'S
LETTER AND REFER MOTIONS TO TRIAL JUDGE**

In this prisoner civil rights lawsuit assigned to Magistrate Judge Brian Owsley by consent of the parties, 28 U.S.C. § 636(c), final judgment granting defendant Palacios's motion for summary judgment was entered on November 27, 2006 (D.E. 144, 145). Plaintiff has filed a *pro se* Notice of Appeal, appealing Judge Owsley's decision to the Fifth Circuit Court of Appeals (D.E. 153, 156). Plaintiff has been granted leave to appeal *in forma pauperis* (D.E. 167).


Plaintiff sent a letter to this judge requesting review by the Chief Judge of the actions of the trial judge and his appointed counsel. Plaintiff also complains that because of this lawsuit he is experiencing retaliation by officials at TDCJ-CID's Huntsville Unit in Huntsville, Texas.

The merits of plaintiff's lawsuit were addressed by Magistrate Judge Owsley. The Chief Judge does not "sit as a quasi-appellate court and review the decisions of

other judges in the district.” *In re McBryde*, 117 F.3d 208, 225 (1997), *cert. denied*, 524 U.S. 937, 118 S.Ct. 2340 (1998). Plaintiff may, and has, appealed Judge Owsley’s decision to the Fifth Circuit Court of Appeals.

The Clerk shall file plaintiff’s letter as a pleading in this case, and refer to the trial judge any motions which require action. To the extent plaintiff is making new complaints of violations of his civil rights, he may file a lawsuit in the Houston Division of the Southern District of Texas after exhausting all administrative remedies available to him. 28 U.S.C. §§ 124(b)(2) & 1391; 42 U.S.C. § 1997e(a).

ORDERED this 12 day of April, 2007.


HAYDEN HEAD
CHIEF JUDGE